

# City of Kyle Stormwater Structural Controls (SSCs) Maintenance Program

Policies and Procedures



## **Definitions**

*Minor maintenance* means mowing and picking up trash. These items shall be noted in the inspection report and given a fifteen (15) calendar day compliance due date from the date the report is submitted to the city. The City of Kyle Stormwater Program will conduct an inspection to verify the minor maintenance was completed by the compliance due date.

*Deficiency* means an issue noted that does not require corrective action but could, over the course of time if not addressed, have the potential to become more severe and/or cause a failure within the stormwater structural control (SSC). Deficiencies noted that do not require corrective action do not require a reinspection.

*Deficiency Requiring Corrective Action* means an issue noted that will require repair and/or maintenance within an established timeline. A deficiency requiring corrective action will require the completion of the Deficiency Notification Form within five (5) calendar days from the date of the inspection and the form emailed to the City of Kyle Stormwater Program. In addition, a reinspection is required, documenting the issue was corrected.

*Owners and/or Operators* means a person, company or entity that owns, operates and/or manages a stormwater structural control(s).

## **Requirements for Inspections and Reports**

Stormwater Regulations Section 50-412. - Long-term maintenance of post-construction stormwater structural controls require all owners or operators of a new development or redeveloped site to have a maintenance plan for all stormwater structural controls. The maintenance plan must be filed in the real property records of the county in which the property is located, addressing maintenance requirements for any structural controls installed on site. Operation and maintenance performed shall be documented and retained on site, such as at the offices of the owner or operator and made available for review by the City. Additionally, owners of stormwater structural controls that discharge or connect to the City's storm drainage and flood mitigation utility or discharge into waters of the United States within the city limits must conduct, at a minimum, a certified inspection of each structural control every three (3) years. The certified inspection report must be prepared by a Texas-licensed engineer and the licensed engineer must be chosen from the list of certified engineers provided by the City of Kyle.

If an inspection identifies a deficiency requiring corrective action by the owner/operator, the engineer shall establish a timeline to address the deficiency. Once the deficiency has been corrected by the owner/operator, the certified engineer shall conduct a follow-up inspection to verify the deficiency was corrected. If an owner/operator is failing to respond within a reasonable timeline established by the certified engineer, the City of Kyle Stormwater Program will assist with obtaining compliance.

## **Inspection Process**

Owners and/or operators of structural controls will receive a letter indicating the year they are subject to the inspection requirements. The letter will instruct owner/operators to contact an engineer from the certified list to perform the inspection. The engineer may contact the City of Kyle Stormwater Program for plans associated with the property as it pertains to the design criteria of the structural control(s).

The City of Kyle Stormwater Program will release a list each calendar year identifying the specific SSCs within the city that are up for inspection. The list will be posted at: [www.kylestormwater.com](http://www.kylestormwater.com).

Some sites may have a deed recorded Kyle SSCs Maintenance Plan. The SSCs Maintenance Plans are maintenance guidelines specific to each structural control on the site. Engineers may contact the Stormwater Program for SSCs Maintenance Plans only if they have started working with the specific site owner/operator. If an engineer would like an SSCs Maintenance Plan or set of plans for a property they are not inspecting, they can file a Public Information Request through the City of Kyle's website.

## **Certified Engineer Minimum Requirements**

- Applicant is a licensed Engineer in the state of Texas
- Sufficient training to conduct inspections of SSCs
- At least 2 years relevant experience with inspection and design of SSCs
- Worked on a minimum of 3 relevant SSCs designs and/or projects
- Submit a completed signed and sealed Kyle SSCs Engineer Certification Application
- Pass a reference check

## **Certifying Engineers**

The City of Kyle Stormwater Program is responsible for prequalifying engineers for the SSCs Maintenance Program. Engineers licensed in the State of Texas who would like to be included on the certified list must apply to the City of Kyle's Stormwater Program for approval. The application can be found at: [www.kylestormwater.com](http://www.kylestormwater.com). Each application will be reviewed by the City of Kyle's Stormwater Program. Approval or denial of the application will be based on the application submitted and criteria outlined in this document. If the Texas-licensed engineer utilizes certified stormwater professionals, the licensed engineer shall submit the Kyle SSCs Supplemental Certification Application for each certified professional, with their application.

Applicants will be notified by email as to whether they have met the requirements to be added to the certified engineers' list.

## **Certified Engineers List**

The list of certified engineers approved to conduct SSCs inspections within the Kyle city limits will be maintained on the city's stormwater webpage located at:

[www.kylestormwater.com](http://www.kylestormwater.com)

## **Removal of an Engineer from the Certified List**

An engineer may be removed from the list of certified engineers if they have two (2) or more investigated complaints filed against them by an owner/operator and/or for failing to identify deficiencies during an inspection. The City of Kyle will investigate complaints prior to making a determination and provide documentation of the investigation to the engineer.

## **Appeals Procedure**

Applicants who fail to prequalify or are removed from the certified list can appeal this decision to the City of Kyle Stormwater Program. All appeals must be in writing and submitted to the Stormwater Program within seven calendar days of receiving notification that the applicant was denied approval or was removed. All decisions made by the Stormwater Program shall be final.

## **Inspection Submittal Requirements**

### **1) Submittal timeline:**

Inspection reports shall be submitted to the City of Kyle Stormwater Program within thirty (30) calendar days from the date of the inspection. Inspection reports that document a deficiency, requiring corrective action(s), shall complete the Deficiency Notification Form within five (5) calendar days from the date of the inspection and email the form to the City of Kyle Stormwater Program. All corrective actions need to be completed and reports due by December 1st of the calendar year the inspection was completed. If corrective actions cannot be completed within thirty (30) calendar days from the date of the inspection and/or by December 1st, a draft inspection report with a compliance schedule shall be submitted to the City of Kyle for approval.

### **2) Submittals must include the following information:**

#### **a. Stormwater Structural Controls Inspection Form Cover Sheet**

- Complete 1 Kyle Inspection Cover Sheet per site
- Mark the type and number of inspection forms included in the packet

#### **b. Inspection Form(s)**

- Complete an inspection form for each SSC inspected
- Submit a Deficiency Notification Form if applicable
- Licensed Engineer must sign and seal each inspection form
- Include only photos of deficiencies with one photo of the overall condition of the SSC, but it is advised that engineers maintain other photos if additional photos are taken

- Attach additional sheets with relevant information as necessary

**3) Email the completed inspection packet to:**

- kroecker@cityofkyle.com
- Subject Line: Kyle SSCs Inspection Submittal - (address of site and name)